

REMARKS/ARGUMENTS

Applicant appreciates the Examiner's continued thorough search and examination of the present patent application.

Claims 2-16, 20, 24, 28-32, 34, 39, 40, 56-69, 71-78, 85 and 86 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Greening ("Greening," U.S. Patent Application Publication No. US 2001/0013009) in view of Harvey ("Harvey," U.S. Patent Application Publication No. US 2002/0059379). Applicant respectfully traverses this rejection.

Applicant respectfully but strenuously maintains that claims 85 and 86, as previously presented in applicant's last amendment dated November 21, 2007, are patentable over the combination of Greening and Harvey. Nevertheless, claims 85 and 86 have been amended herein, and new claims 87-89 have been added.

Applicant respectfully submits that features defined in claims 85 and 86 are not taught, suggested or disclosed by either Greening and Goldstein, nor does the combination of those references teach, suggest or disclose the missing features of applicant's claims 85 and 86. Since these features are missing from each of Greening and Harvey, the combination of those references cannot render the claims obvious under 35 U.S.C. §103(a).

The missing features in applicant's claim 85, as amended, include, *inter alia*, an internet site which provides two search results: a "first search result" and a "second search result." The "first search result" is retrieved in response to "first search criteria," which is received from the user. The "first search result" includes "preference information" that is from a "first plurality of members" and "corresponds to the first search criteria." The "second search result" is retrieved in response to "second search criteria." The "second search criteria" is "received from the user in response to a prompt" and relates "partially to the first search criteria and partially not to the first search criteria." The "second search result" includes "preference information" that is "received from a second plurality of members." None of the members of the "second plurality" of members is "included in the first plurality of members." Accordingly, the first and second search results are from two different pluralities of members, respectively.

Applicant's amended claim 86 includes similar missing features.

Instead of teaching these features, Greening describes a system and method for predicting the interest of a user "based on that user's behavioral or preferential similarities to other users, to objective archetypes formed by assembling items satisfying a search criterion, a market segment

profile, a demographic profile or a psychographic profile” (see, for example, Abstract, paragraphs [0014]-[0021], [0035], [0036], [0039], [0040], [0041], [0043] and [0052]). Greening creates a personalized experience or makes recommendations based on an individual’s “personal tastes” (paragraph [0014]). Greening attempts to analyze the individuals in order to find like-minded people. Conversely, applicant’s claims 85 and 86 do not define features that attempt to understand the searcher in order to identify like-minded individuals. Instead, applicant’s claims 85 and 86 provide first and second search results and, as noted above, the “first search result” includes “preference information” that is “received” from a “first plurality of members” and the “second search result” includes “preference information” that is “received” from a “second plurality of members.” None of the members of the “second plurality” of members is “included in the first plurality of members.”

Greening does not teach, suggest or disclose this feature, nor does Greening teach, suggest or disclose the combination of features described above with reference to applicant’s claims 85 and 86.

The missing features defined in claims 85 and 86 are also not taught, suggested or disclosed by Harvey. Thus, the combination of those references cannot teach, suggest or disclose the applicant’s invention defined in claims 85 and 86. Harvey is cited by the Examiner for teaching an individual searching demographic databases of users or members. Harvey is also cited for disclosing providers of goods and services, and for utilizing message boards. Neither Greening nor Harvey teaches, suggests or discloses the missing features of claims 85 and 86, including a “first search result” and a “second search result” that are from two different pluralities of members, respectively.

Thus, for the above reasons, even if one were to combine Greening and Harvey, as the Examiner has done, applicant’s claims 85 and 86 still would not be taught. Therefore, applicant submits that claims 85 and 86 are allowable over the combination of Greening and Harvey, and are not obvious under 35 U.S.C. §103(a).

Claims 2-16, 18, 20, 24, 28-32, 34, 39, 40, 56-78 depend directly or indirectly from claims 85 or 86, respectively, and are patentable for the same reasons as well as because of the combination of features in those claims with the features set forth in the claim(s) from which they depend.

Furthermore, claims 18 and 70 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Greening in view of Harvey in view of Masi ("Masi," U.S. Patent No. 6,105,001). Applicant respectfully traverses this rejection.

Masi is cited by the Examiner for providing the addition limitation of claims 18 and 70 of providing "incentives" to members to "recruit others to input" information into the database. However, as noted above with regard to Greening and Harvey, Masi also does not teach, suggest or disclose the missing features of claims 85 and 86, including a "first search result" and a "second search result" that are from two different pluralities of members, respectively. Therefore, for among the same reasons identified above, applicant submits that claims 18 and 70 are allowable over the combination of Greening, Harvey and Masi, and are not obvious under 35 U.S.C. §103(a).

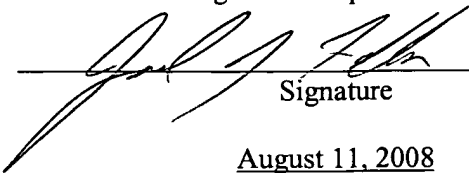
Applicant further submits that newly added claims 87-89 are patentable over the combination of Greening and Harvey, as well.

For the reasons set forth above, applicant respectfully submits that this application is in condition for allowance, for which action is earnestly solicited.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on August 11, 2008:

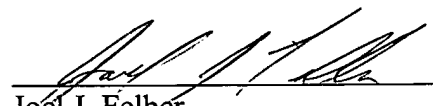
Respectfully submitted,

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Name of applicant, assignee or
Registered Representative


Signature

August 11, 2008
Date of Signature

DAM:JJF:ck


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